



CITY OF DURHAM | NORTH CAROLINA

Date: January 5, 2015

To: Thomas J. Bonfield, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Kevin Dick, Director – Director, Office of Economic and Workforce Development

Subject: Resolution Authorizing a Public Art Project on the NC147 Retaining Wall on the South Side of Willard Street

Executive Summary

This item recommends the approval of a resolution authorizing the City of Durham's application for public art on the NC 147 ("Durham Freeway") retaining wall on the south side of Willard Street near the Blackwell Street intersection in accordance with the North Carolina Public Art on the Right of Way Policy.

Recommendation

The Office of Economic and Workforce Development (OEWD) recommends that the City Council adopt a resolution authorizing the City of Durham's application for public art on the NC 147 ("Durham Freeway") retaining wall on the south side of Willard Street near the Blackwell Street intersection in accordance with the North Carolina Public Art on the Right of Way Policy.

Background

On November 14, 2014 representatives of the Office of Economic and Workforce Development and the City of Durham Transportation Department met with representatives of the North Carolina Department of Transportation (NCDOT) and Blackwell Street Management, LLC to discuss a proposal by Blackwell Street Management, the management company for the American Tobacco Campus. Blackwell Street Management has proposed a mural, approximately four hundred feet in length and eleven feet high, to be commissioned and installed on the NC 147 retaining wall on the south side of Willard Street, in the NCDOT right of way. Based on an advisory from the NCDOT, the Durham Transportation Department submitted a letter of interest to the NCDOT on November 24, indicating that, in accordance with state policy, a resolution of the Durham City Council would be drafted for City Council approval, following review of the proposal by the Durham Cultural Advisory Board Public Art Committee. On December 17, representatives of Blackwell Street Management made a presentation to the Public Art Committee. The Public Art Committee voted unanimously to recommend City approval of the project. On that

same date the Durham Cultural Advisory Board received the recommendation and voted to approve the Public Art Committee's recommendation.

Issues and Analysis

The North Carolina Public Art in the Right of Way Policy defines the purpose of the policy as follows:

The North Carolina Department of Transportation (NCDOT) recognizes and values the importance of integrating Context Sensitive components into the design and operation of its transportation facilities. While NCDOT's first priority is to provide safe and efficient transportation facilities, the department understands that this can be accomplished by ensuring environmental sensitivity while providing transportation infrastructure that are integrated into the natural and human environment in a manner to reflect the local community's aesthetic values and intrinsic qualities. Transportation facilities enhanced by public art elements provide aesthetic and cultural benefits to a community. These benefits can potentially result in positive economic development and increase tourism both locally and throughout North Carolina. In order to ensure successful integration of art within NCDOT project designs and along rights of way, it is critical to maintain collaborative and cooperative partnerships with local governments, state agencies, nonprofit organizations and private entities.

The Policy provides that a local government agency may apply to install public art in the state right of way:

Art placed on NCDOT transportation right of way shall be provided and maintained by a sponsoring local government agency (city, county, etc.), state or federal agency, or tribal government and is permitted through the encroachment permit process or may be integrated as a design element of a transportation construction project. The permit applicant must be the responsible local public agency representing the communities where the art will be placed. Private party art encroachments will not be permitted by the department.

Local government agencies may request Art on existing NCDOT facilities or as enhancements to proposed NCDOT transportation construction projects.

The NC DOT staff has informed the City that it may enter into a contract with a private entity to install and maintain the proposed art.

Blackwell Street Management, LLC has proposed the creation of an abstract mural, incorporating symbols and colors related to baseball and the Durham Bulls baseball team. It has further agreed to provide an opportunity for community input into the final design and for community members, working under the supervision of a

contracted artist, to participate in painting the mural on the proposed wall. Its goal is to complete the mural project by April 15, 2015.

Blackwell Street Management plans to engage Raleigh artist James Marshall to lead the design and installation of the mural. Marshall has exhibited internationally and his recent works include murals in other locations including the Public Art Park in Brooklyn and the Scottsdale Museum of Contemporary Art. He is the brand artist for skate gear maker Hurley International and he collaborates on designs with Nike.

Blackwell Street Management has agreed to enter into a contract with the City of Durham to perform the project work and to maintain the work, in accordance with all terms of the NCDOT Policy and the City of Durham Public Art Policy, at its own expense.

Upon approval of the Resolution by the City Council, City staff will work with Blackwell Street Management to submit an application to the NCDOT. If the project is approved by the NCDOT, the City Council will be asked to approve an encroachment agreement with the state and an agreement with Blackwell Street Management at a later date.

The creation of the mural will contribute to economic development in the Downtown area and improve the appearance of the wall on the south side of Willard Street. Blackwell Street Management anticipates that it may propose a second phase project at a later date, to add a public art component on and under the NC 147 Blackwell Street overpass.

Alternatives

The City Council may choose to reject the recommendation to authorize the project. Such a decision would eliminate the possibility of the creation of a major work of public art in downtown Durham at no cost to the City.

Financial Impact

The project will have no financial impact as the City will enter into an agreement with Blackwell Street Management, LLC for that company to bear the full cost of the creation, maintenance and, if necessary, removal of the mural, to be executed prior to the commencement of the project.

SDBE

An SDBE summary is inapplicable because no project-specific goals have been set and no SDBE's are involved in this item.

Attachments

Location Photographs – 2
Location Map